

**AGENDA ITEM #**

January 9, 2004

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Evaluation of City of Rio Vista's Proposed Sewage Treatment Plant under Utilities and Infrastructure Policy P-3, Land Use and Resource Management Plan for the Primary Zone of the Delta [Primary Zone]; SCH No. 1991063066

**STAFF RECOMMENDATION:**

The Commission should review the staff report, accept public comments and determine if the City's proposed sewage treatment plan is in conformance with Utilities and Infrastructure Policy P-3 of the Commission's adopted Plan and direct staff to send comments summarizing the Commission's position.

**BACKGROUND:**

In 1990, the City of Rio Vista approved a General Plan amendment and annexation including lands for long-term growth and development, including lands west and northwest of the center of the City. It was determined by the City that it would be efficient to construct a new treatment plant northeast of Highway 12 to be paid for by the new development.

In March 1992, the City of Rio Vista circulated a final environmental impact report on a new wastewater treatment plant to serve proposed growth.

In August 2002, the Governor signed the Delta Protection Act of 1992, which adopted the map of Primary and Secondary Zones of the Delta. The proposed sewage treatment plant site is in the Primary Zone of the Delta.

In January 1993, the Delta Protection Commission held its first meeting.

On March 4, 1993, the City filed the Notice of Determination for the FEIR.

In June 1994, the Commission received a background report on Utilities and Infrastructure. The background report noted that many cities have sewage treatment facilities near the Delta Primary Zone.

On February 23, 1995, the Commission adopted its regional plan that included Policy P-3 precluding new sewage treatment facilities from the Delta Primary Zone. The Policy includes an exclusion for "the Rio Vista project, as described in the Final Environmental Impact Report for such project..."

On October 7, 2003, the City released a Notice of Preparation for a Supplemental Environmental Impact Report; staff submitted comments dated November 3, 2003 (attached).

On December 30, 2003, the City released the Northwest Wastewater Treatment Facility Supplemental Environmental Impact Report.

### **PROJECT DESCRIBED IN 1992 FINAL ENVIRONMENTAL IMPACT REPORT (FEIR):**

The project analyzed in the 1992 FEIR was phased construction of a 3.6 million gallon per day wastewater treatment plant using a treatment process called Advanced Integrated Pond System (AIPS). This system was experimental but would have allowed the City to build a small plant to start and add on as funding became available and additional growth occurred. The final size of the wastewater treatment facility was proposed to be 148 acres.

The AIPS consists of a series of at least four ponds each performing one or more of the basic treatment processes: primary reduction pond; high rate pond; settling pond; and storage pond. The FEIR analyzed several final disposal alternatives including discharge into the Sacramento River and percolation, but recommended reclamation and reuse for irrigation of proposed golf courses or of fodder, fiber or seed crops.

### **CITY OF RIO VISTA'S CURRENT PROPOSAL:**

No treatment plant has been built on the site evaluated in the 1992 FEIR. The current proposal is a new, smaller, phased treatment plant with initial capacity of one million gallons per day (mgd) and an ultimate capacity of two mgd (sometime after 2010).

The current project is a different technology and will use only about 15 acres of the 160-acre site, and could eventually cover as much as 40 acres. The bulk of the wastewater treatment will be a membrane bioreactor system consisting of two biological treatment trains followed by four membrane basins. Much of the processing will take place within buildings and will result in Class A biosolids. The treated wastewater will receive ultraviolet disinfection to remove bacteria.

The current proposal is to discharge the treated effluent into the Sacramento River, through an 18-inch-in-diameter force main pipeline within the right of way of Airport Road and City-owned property, then parallel an existing City Storm drain pipe to an outfall diffuser in the Sacramento River.

### **CONSISTENCY WITH UTILITIES AND INFRASTRUCTURE POLICY P-3:**

Supplemental EIR includes Utilities and Infrastructure P-3 (page 3.5-2, attached) and states "Based on this Plan, local government actions that could affect the Primary Zone of the Delta can be appealed by the DPC...the proposed project is located within the Primary Zone of the Delta...the proposed project is exempt from this policy (Utilities and Infrastructure Policy P-3)".

The Commission must determine if the current project proposed by the City of Rio Vista is consistent with Utilities and Infrastructure Policy P-3.

The proposed project:

- Serves the same areas of proposed growth and development;
- Serves the same purpose;
- Is located on the same site; and
- Has less impact on lands in the Primary Zone (15 to 40 acres versus 148 acres, on the 160 acre site).
- New pipeline will follow existing rights of way and be on City-owned property.

November 3, 2003

Thomas E. Bland  
City of Rio Vista  
One Main Street  
Rio Vista, CA 94571

Subject: Notice of Preparation (NOP) for the Northwest Wastewater  
Treatment Facility Draft Environmental Impact Report;  
SCH #1991063066

Dear Mr. Bland:

I am writing regarding the NOP dated October 7, 2003. The Commission itself has not reviewed the NOP so these are staff comments only. They are, however, based on the Commission's law and adopted Plan.

**Project in the Primary Zone:**

The proposed wastewater treatment facility is located in the Primary Zone of the Delta and thus is subject to the Commission's Act and Plan. Location in the Primary Zone means the project is subject to the Commission's planning and appeal authority. A local government action can be appealed to the Commission if an aggrieved party believes the project is not consistent with the Act and Plan.

**Policies of the Commission's Plan:**

The adopted land use Plan includes Utilities and Infrastructure P-3 that states:

New sewage treatment facilities (including storage ponds) and new areas for disposal of sewage effluent and sewage sludge shall not be located within the Delta Primary Zone. The Rio Vista project, as described in the adopted Final Environmental Impact Report for such project...[is] exempt from this policy.

**Original Project:**

The original project was for a new sewage treatment facility to be built in phases to serve approximately 6,400 residential units in the area northwest of the central City. The project included phased construction of a facility and multiple ponds that would eventually process 3.6 million gallons per day and cover 148 acres. The facility was to be surrounded by an 800 foot wide buffer area. The treated wastewater was to be used to irrigate rangeland, irrigate golf courses, or be discharged into the Sacramento River.

**Current Project:**

The current project is to be located on the same 160 acre site owned by the City. The site has historically been used for grazing. The current project would be built in phases and eventually process 2 million gallons per day. A different technology is proposed which

would result in a facility covering only a small area of the site--approximately 10 acres of the site. The facility would produce Class A biosolids, with the least restrictive requirements for use after treatment. The treated wastewater will be released into the Sacramento River.

**Analysis in the Environmental Document:**

The environmental document should describe the location of the proposed project in the Primary Zone, describe how the project conforms to the exemption described in Utilities and Infrastructure P-3, and describe how the project conforms to other policies in the Plan, such as incorporation of a buffer when new development is proposed adjacent to on-going land uses.

Thank you for the opportunity to comment on the NOP. Please call if you have questions about this comment letter.

Sincerely,

Margit Aramburu  
Delta Protection Commission

Cc: Chairman Patrick N. McCarty  
Mayor Marci Coglianese  
State Clearinghouse